

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1150

4
5 By: Representative Judy
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For An Act To Be Entitled

9 AN ACT TO REMOVE THE REQUIREMENT OF CREDITED
10 SERVICE IMMEDIATELY PRECEDING DISABILITY FOR
11 ELIGIBILITY FOR BENEFITS UNDER THE PUBLIC
12 EMPLOYEES RETIREMENT SYSTEM; AND FOR OTHER
13 PURPOSES.
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Subtitle

15 AN ACT TO REMOVE THE REQUIREMENT OF
16 CREDITED SERVICE IMMEDIATELY PRECEDING
17 DISABILITY FOR ELIGIBILITY FOR BENEFITS
18 UNDER THE PUBLIC EMPLOYEES RETIREMENT
19 SYSTEM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 24-4-511(a)(1)(A), pertaining to disability
26 retirement benefits for members of the Public Employees Retirement System, is
27 amended to read as follows:

28 (a)(1)(A) Except for members of the General Assembly who need at least
29 ten (10) years of actual service, any active member with five (5) or more
30 years of actual service, ~~including actual service for at least eighteen (18)~~
31 ~~of the twenty four (24) calendar months immediately preceding his or her~~
32 ~~disability~~, who becomes totally and permanently physically or mentally
33 incapacitated for any suitable job or position as an employee as a result of
34 a personal injury or disease, may be retired by the Board of Trustees of the
35 Arkansas Public Employees' Retirement System upon written application filed
36 with the board by or on behalf of the member.



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SECTION 2. Arkansas Code § 24-4-511(d)(4) is repealed.

~~(4) Should the former disability retirant again become totally and permanently disabled within twenty four (24) months immediately following his or her return to membership or should the retirant qualify for benefits by reason of age and service, the eighteen (18) months' credited service requirement specified in this section shall be waived.~~

SECTION 3. Arkansas Code § 24-4-511(e)(3) is repealed.

~~(3) Any former member who is or was approved for disability by the Social Security Administration but whose onset date does not meet the provision of subdivision (a)(1)(A) of this section that requires credited service for eighteen (18) of the twenty four (24) months immediately preceding the disability, may be retired by the board upon written application to the board subject to the following:~~

~~(A) The onset date determined by the Social Security Administration is within twenty four (24) months of the date of termination from covered employment;~~

~~(B) The former member furnishes a written statement to the board from a physician approved by the board that the former member was suffering at the time of termination from an illness or injury that subsequently led to the disability determination; and~~

~~(C) Retirement payments authorized under this section shall be effective on the first day of the next month following approval by the board of the written application and shall not be retroactive.~~